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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,165	06/25/2003	Don Billow	49967/OSB/I222	3598

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EXAMINER

GILMAN, ALEXANDER

ART UNIT	PAPER NUMBER
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2833

DATE MAILED: 03/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/606,165	BILLOW ET AL.	
	Examiner	Art Unit	
	Alexander D. Gilman	2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,5,10,11,13 and 15-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5,10,11,13 and 15-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. <u>02/09/2005</u> |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 23 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 23 recites the limitation " the opening of the baseproduct".

There is insufficient antecedent basis for this limitation in the claim. For purposes of examination it was assumed that "the baseproduct" is a "faceplate".

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 4, 5, 10, 11, 13, 15-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Mano et al.

With regard to claims 1-3, , 15, 17, Mano et al (US 6,712,649) disclose (Fig. 11, 12) a spring clip connector assembly comprising:

a base product – faceplate (101) with a plurality of openings, and

a spring clip connector including a housing (115) having a front wall with an opening (111) for receiving a wire therethrough, a movable tab (105) located in the housing, and a conductor secured to the housing

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and having a contact (117) positioned to engage a wire inserted through the opening in the front wall, and a spring (107, 113) engaging the tab and engaging a portion of the spring clip connector (the portion - a shaft being a pivot for the spring) other than the tab to bias the tab to a closed position '

wherein the housing includes a resilient member and the base product includes a mounting surface, the resilient member movable between a first position that permits insertion of the housing through the opening of the faceplate and a second position that engages the at least one mounting surface and blocks removal of the housing from the opening of the faceplate, and

wherein the tab is movable between a closed position such that a portion of the tab is adjacent to the contact to secure a wire inserted through the opening in the front wall against the contact and an open position such that the portion is farther away from the contact than in the closed position to release the wire, the spring biasing the tab toward the closed position.

With regard to claim 4, Mano et al disclose (Fig. 11, 12) that the base product (101) has a bottom mounting surface and a top mounting surface.

With regard to claim 5, Mano et al disclose the latch is a cantilever latch (Fig. 11, the latch penetrating 101).

With regard to claim 11, Mano et al disclose (Fig. 11, 12) the the front circular opening (111) being centrally-disposed .

With regard to claims 10, 16 Mano et al disclose (Fig. 2) the contact (33) partially blocks the opening in the front wall .

With regard to claim 13, Mano et al disclose (Fig. 1) the front wall has two openings (35).

With regard to claim 18, Mano et al disclose the structure which is assembled and operated using steps claimed.

With regard to claim 19, Mano et al disclose that the portion of the spring clip connector other than the tab is a part of the housing (the shaft).

With regard to claim 20, Mano et al disclose all of the limitations except for explicitly showing at schematic Fig. 11 a retaining wall of the housing that faces the front wall of the housing.

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The structural embodiment of the Mano's connector should inherently include the retaining wall of the housing to prevent the movable elements of the connector from transportation damages.

With regard to claims 21, 27, Mano et al disclose all of the limitations except for the tab being insertable into the housing through a front opening of the housing adjacent the front wall of the housing..

The method of assembling the elements of Mano's device is not given patentable weight since the patentability of a product does not depend on its method of production. *In re Thorpe*, 227 USPQ 964,966 (Fed. Cir.1985).

With regard to claims 22, 25 Mano et al disclose that the housing includes a resilient finger tab (113 or 117) to engage and secure the conductor to the housing.

With regard to claim 23, Mano et al disclose that the resilient member on a back side of the faceplate (101) and wherein the spring clip connector is insertable through the opening of the base product from the back side.

With regard to claim 24, Mano et al disclose the conductor includes an upwardly extending rear wall (the vertical portion of 11) and a bottom wall (the horizontal portion of 117) extending forward from a bottom edge of the rear wall.

With regard to claim 26, Mano et al disclose that the spring (117) is a coil spring.

Response to Arguments

As it is shown above in the rejection, the art of record can be used to meet of the claims' limitations.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH**

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shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander D Gilman whose telephone number is 571 272-2004. The examiner can normally be reached on Monday-Friday, 10:30 a.m. - 8:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571 272-2800 ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

03/01/2005



ALEXANDER GILMAN
PRIMARY EXAMINER